CITY OF
SAN JOSE
CAPITAL OF SILICON VALLEY

City of San Jose

Notice of Upcoming Technology Solicitations

Converged Network and Storage and Server Infrastructure

For the New City Hall

1.0 Announcement of Upcoming Technology Solicitations

The City of San Jose is in the process of developing two separate Requests for Proposals (RFPs) to address the following technology needs of the New City Hall:

- Converged Network/VoIP
- Consolidation of Storage and Server Infrastructure

Both RFPs are scheduled to be approved by City Council on November 30, 2004, and planned to be released on December 1, 2004. Proposals shall be prepared and submitted in accordance with the provisions of the RFP instructions and specifications. The due date for both the converged network and server / storage consolidation proposals is 12:00 PM (Pacific Time) on January 7, 2005. Note: these are tentative schedules, the actual schedules will be provided in the RFP documentation.

Please see Attachment A for brief description of project objectives, anticipated procurement scope, and timelines.

Prospective vendors should note that the City has established a streamlined procurement schedule and technology deployment process, which will be described in the upcoming RFPs. The City plans to start phased move-in of City employees to its New City Hall by June 15, 2005.

2.0 Solicitation Tool/Process

The City of San Jose is using an electronic solicitation tool (DemandStar) for these procurements. In order to register for this service, please contact Onvia customer support at (800) 711-1712. It is important that you indicate to the Onvia customer service representative that you are registering for the City of San Jose technology procurements. You should also make sure to include the commodity codes listed below to ensure that your organization receives automatic notification. There is no charge to register for this procurement.

- IND-883-32 (for converged network)
- CSF-206-89 (for storage and servers)

Please note, vendors attending the mandatory bidder's conference (currently scheduled for December 8, 2004) will be required to sign and submit the City of San Jose Code of Conduct document (see section 3.0 and Attachment B).

3.0 Procurement Process Integrity Guidelines

As part of the New City Hall Converged Network/VoIP procurement process, Communications Protocols and Code of Conduct provisions have been developed and recently approved by City Council. The intent is to enhance the City's ability to conduct a fair and objective vendor evaluation and selection process. Please see Attachment B for the Procurement Process Integrity Guidelines for the New City Hall Converged Network Request for Proposals.

Background and Project Objectives

The City of San José (City) is building a New City Hall (NCH).

As part of the NCH initiative, the City has embarked on transforming its business operations and processes through more effective use of state-of-the-art technology solutions.

- In order to achieve its transformational objectives, the City plans to implement converged network solutions and consolidate appropriate technical infrastructures supporting electronic data storage and application needs.

- The implementation of converged technology solutions as well as consolidation of technical infrastructures (the "Converged Network/SAN/Server project") would help meet the following business objectives:

  - ❑ Enhanced business processes to cost-effectively meet customer service needs of both the community and City employees

  - ❑ Optimize use of existing technical staff and infrastructure resources

  - ❑ Improved and more cost effective maintenance and management of technical infrastructures

  - ❑ Enhanced disaster recovery and business continuity processes pertaining to technology solutions

  - ❑ Improved security, integrity and availability of the City's communications and information systems

  - ❑ Heightened organizational agility to accommodate the City's evolving service needs through scalable technology solutions.

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Procurement Scope

Converged Network

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Phased Migration Strategy
Overall Implementation Roadmap

As part of the City's effort to mitigate potential "go live" schedule risks, Gartner assisted in defining the overall scope of the converged network procurement and deployment initiatives. The overall procurement scope was defined based on the City's critical business needs, and the overall scope of the deployment effort was defined within the context of the NCH move-in schedule.

The scope of the deployment effort was categorized, as follows:

- Phase I scope pertains to functional and technical capabilities that need to be deployed prior to the June 15, 2005 scheduled move-in date.

- Phase II scope pertains to necessary elements of the converged network infrastructure that do not have to be deployed by the June 15th move-in date, but need to be deployed shortly after to achieve the City's project objectives.

- Vendors will be requested to address both Phase I and Phase II scope in their proposal, and the City will seek input from proposing vendors on an optimum implementation schedule that takes into consideration the City's move-in date.

The following pages provide an overview of the overall scope of the converged network procurement.

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Recommended Scope
Data Network, Network Security, Network Management

Technology	Requirement	Phasing
Data Network		
Core network	New core network switches with higher availability requirements	Phase I
Distribution tier	New distribution network switches with interfaces to end users	Phase I
WAN - Integration	New WAN router	Phase I
Wireless – Integration –Voice and data	Ports for 802.11 network interface for in-building public and City wireless connectivity	Phase I
Remote Access	New remote access devices for telecommuters	Phase II
ISP's connectivity	Second ISP connection	Phase II
Security		
Network and Host Based Intrusion/prevention	Security	Phase I
Wireless	Wireless domain	Phase I
Firewall	New firewall	Phase I
Authentication, Authorization and Accounting	Servers	Phase I
Authentication, Authorization and Accounting	Users	Phase II
VPN	Secured, remote access	Phase II
Site-to-site VPN	Secured, remote access	Phase II
Network Management		
Network monitoring	Network performance	Phase I
Network reporting	Network performance	Phase I
Network alerting	Network performance	Phase I
Centralized desktop application support	Desktop application support	Phase II

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Recommended Scope
Telecommunications Network – Phase I

Technology	Requirement	Phasing
Telecommunications Network		
Common Control call processing equipment	Voice Network	Phase I
IP Telephone Sets	Multi-line phones	Phase I
Conference room phones	Speaker phones	Phase I
Emergency phones	Power Failure phones	Phase I
New Voice Mail system	Voice mail	Phase I
Emergency E911 location service	Provides PSAP with location of caller	Phase I
Analog Telephone	Modems, credit card machines, etc…	Phase I
Requirements for access to PSTN and City network	Inbound and outbound calling, calling between facilities	Phase I
Voice, Video and Web-based Conferencing	10 port call conferencing	Phase I
Call Messaging	Voice Mail	Phase I
Call Accounting	Call records	Phase I
Voice conferencing	10 port call conferencing	Phase I
Music On Hold	TBD	Phase I
Call Center ACD (Automatic Call Distribution)	Support for 4 existing call centers	Phase I
Custom reports, Ad-Hoc reports	ACD management requirement	Phase I
Video Streaming	Broadcast Council meeting	Phase I

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Recommended Scope
Telecommunications Network – Phase II

Technology	Requirement	Phase
Telecommunications Network		
Video and Web-Based Conferencing	TBD	Phase II
Text-to-Speech software	Support for unified messaging	Phase II
Soft phone telephone sets	PC based phones	Phase II
CTI – Computer Telephony Integration	Integration with desktop computers	Phase II
Unified Messaging	Voice-mail, e-mail, and fax-mail integration	Phase II
Telecommuting support	Off-net transparency	Phase II
Presence – Instant Messaging	Call groups	Phase II
API Standards	Standard programming interfaces	Phase II
Database lookups and/or host integration	Screen pops within call center	Phase II
CTI integration to third-party applications	Call center integration with data applications	Phase II

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Procurement Scope

Storage and Server Consolidation

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Phased Migration Strategy
Overall Implementation Roadmap

As part of the City's effort to mitigate potential "go live" schedule risks, Gartner assisted in defining the overall scope of the SAN/server procurement and deployment initiatives. The overall procurement scope was defined based on the City's critical business needs, and the overall scope of the deployment effort was defined within the context of the NCH move-in schedule.

The scope of the deployment effort was categorized, as follows.

- Phase I scope pertains to functional and technical capabilities that need to be deployed prior to the June 15, 2005 scheduled move-in date.

- Phase II scope pertains to necessary elements of the SAN/server infrastructure that do not have to be deployed by the June 15th move-in date, but need to be deployed shortly after to achieve the City's project objectives.

- Vendors will be requested to address both Phase I and Phase II scope in their proposal, and the City will seek input from proposing vendors on an optimum implementation schedule that takes into consideration the City's move-in date.

The following pages provide an overview of the overall scope of the SAN/server procurement.

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The requirements for Phase 1 includes:

- Development of detailed migration and consolidation plan.

- Design, procurement and configuration of all hardware and software for core services.

- Consolidation and migration of core services to the NCH data center including: Active Directory, DNS, DHCP, WINs and File Service including department home directories and Internet/Intranet .

- Deployment of initial SAN configuration (20 TB in size) and implemented in support of core services

- Establishment of Enterprise Backup and Recovery services including tested and documented backup and recovery of all core services data and systems

- Procurement, installation and testing of new tape library/tape robotic system

- Deployment of desktop and server configuration management tools to manage the new servers including software distribution, systems management console for server management and instrumentation of all new servers.

- Documentation of IT processes (i.e., storage and server management) and training of City IT staff.

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Phased Migration Strategy
Phase 2 Requirements

Phase 2 focuses on enterprise applications (e.g., PeopleSoft) operating on the Sun Microsystems Solaris platforms. The requirements for Phase 2 includes:

- Consolidation/migration for Sun Servers
    - Procurement for Sun hardware
    - Migration of enterprise data into the target storage solutions
    - Implementation of the enterprise backup and recovery system for the Sun environment
    - Installation and deployment of a replicated SAN at the old data center or alternate site
    - Deployment of remote replication of enterprise data into the replicated SAN
    - Testing of the recovery at the remote data center

The City also has requirements for additional consolidation services which may be addressed in subsequent phases as the City's understanding of its business and functional needs are further solidified.

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Recommended Scope
Server Consolidation

Functional Area	Product Procurement	Vendor Services	City Responsibility

Server Consolidation	■ Servers hardened to industry standards to support the following Core functions:
	  ■ Authentication
	  ■ Core Service Security
	  ■ DHCP/DNS/WINS
	  ■ MS Print Servers
	  ■ MS File Sharing
	  ■ MS Terminal Services
	  ■ Trend Micro Antivirus
	  ■ FTP Services
	  ■ Intranet Web Services
	  ■ Internet Web Services
	  ■ Web Audio/Video MS Media Services
	■ Servers for the SUN environment including options for fail-over servers in the old data center
	■ Server OS Licenses
	■ Other Server and software licenses, print software, anti-virus software, FTP, etc.
	■ High Availability software licenses
	■ Other licenses required for server consolidation, e.g., virtualization software, partitioning software, configuration, management and monitoring software of servers
		■ Provide target consolidation strategy and detailed design
		■ Provide server for failover environment (old data center or other facility)
		■ Size the City environment for the correct servers
		■ Procure the hardware and software
		■ Install the OS and necessary software
		■ Configure the hardware
		■ Migrate the data
		■ Test the environment
		■ Test recovery for high availability configurations
		■ Facilitate User Acceptance Testing
		■ Document the new environment and processes
		■ Train the City staff
			■ Provide time constraints for the consolidation of servers and data
			■ Procure Client Access Licenses
			■ Participate in UAT
			■ Participate in training
			■ Ensure network connectivity to old data center is adequate
			■ Complete Active Directory Design and migration prior to consolidation
			■ Software changes, installation, testing and setup for all workstations

Recommended Scope
Server Migration

Functional Area	Product Procurement	Vendor Services	City Responsibility
Server Migration	■ Backup servers as necessary	■ Provide a detailed migration plan and risk mitigation plan ■ Install new servers into the New Data Center ■ Migrate the old the servers to the new data center using specified movers to not void the warranty. ■ Configure all identified servers into the proposed SAN environment. ■ Test all servers at the New Data Center ■ For High Availability Servers, establish and setup remote replication and failover in the old data center or another facility ■ Develop detailed recovery processes and scripts	■ Provide dependencies and time constraints for the migration of servers and data. ■ Participate in testing of the new environment ■ Provide network connectivity between old and new data center ■ Prepare data center, ensure environmental requirements can be met (HVAQC, Power, UPS, etc.)

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Recommended Scope
Storage Consolidation and Backup/Recovery

Functional Area	Product Procurement	Vendor Services	City Responsibility
Storage Area Network Hardware, Software and Implementation	■ Storage Area Network ■ Storage Area Management Software (SAN Management, Provisioning and Storage Resource Management) ■ Host bus adapters and required network cards for all servers ■ Storage arrays and disks	■ Validate the City's Storage requirements ■ Procure the SAN and necessary software ■ Configure the SAN in the New Data Center ■ Establish the storage management processes	■ Ensure adequate connectivity between New Data Center and Old Data Center or another facility ■ Test the fail over
Backup and Disaster Recovery	■ Centralized Backup Software/Hardware and servers for backup functions ■ Automated tape libraries hardware and software ■ Backup and recovery software to support all servers, databases, SANs, NAS, etc. ■ Backup monitoring and administrative consoles (software and hardware) ■ Licenses and software for all servers, SANs, etc.	■ Provide an enterprise backup and recovery strategy ■ Replicate mission critical information to the Old Data Center or another facility ■ Train the City IT Staff	■ Participate in training

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Recommended Scope
IT Security, Maintenance and Upgrades

Functional Area	Product Procurement	Vendor Services	City Responsibility
IT Security	■ Servers that are hardened to industry standards ■ (Intrusion detection Systems - IDS, Proxy Servers, firewalls handled in VoIP RFP) ■ Servers and software (server side only) for antivirus, FTP and email scanning ■ Central console and software for managing security events, alarms, correlation, etc.	■ Provide recommendations to enhance security	■ Formalize a security policy document ■ Identify key vulnerabilities and determine corrective actions for each vulnerability ■ Take necessary steps to secure the perimeter
Maintenance	■ N/A	■ Provide warranty with options for extended coverage ■ Provide maintenance proposal and schedule for all equipment ■ SLA that is compliant with City requirements	■ Provide secure remote access for the vendors ■ Develop/refine SLAs
Future Upgrades	■ TBD	■ Forward pricing options ■ Upgrade plans and schedule for 4 years	

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Recommended Scope
Network and Systems Management

Functional Area	Product Procurement	Vendor Services	City Responsibility
Network and Systems Management	■ Infrastructure management tools ■ Hardware and software for management including: 　■ Server configuration Management 　■ Patch Management 　■ Software Distribution 　■ Server Image management 　■ Event monitoring 　■ Asset/License management ■ Desktop Software distribution software and hardware	■ Procure infrastructure management tools ■ Install the software ■ Formalize the Infrastructure Management Strategy ■ Setup and document processes ■ Train the City IT Staff	■ The desktop environments ■ Participate in training

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Evaluation and Schedule

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Evaluation Criteria
Consistent with City Requirements

Specific evaluation criteria are being finalized and are consistent with City Municipal Code Requirements 4.13.040D.

Evaluation factors being considered are:

- Vendor strategic business directions

- Financial stability

- Resources and capacity to meet City move-in schedule, including ability to expeditiously meet contractual needs

- Firm and individual track record and experience with similar size projects

- Product and operational support capacity, including service levels

- Technical design and architecture of proposed solutions

- Overall cost and business value to the City

- Vendor status as local business enterprise and small business enterprise

- Compliance with environmental preferable provisions

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Estimated Project Schedule

- Notice To Vendors of Upcoming RFPs – November 18
- City Council Review of RFPs – November 30
- Release RFP – December 1
- Pre-proposal Conference – December 8
- RFP Addenda – December 10 (As Needed)
- Deadline for Objections To RFP Process and Content – December 15 (Tentative)
- Proposals Due – January 7, 2005
- Release Vendor Recommendation – February 9
- Contract Negotiation/Appeals – February 9 - 23
- City Council Award – March 1
- Phase 1 Implementation – March 2 – June 15

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November 18, 2004

TO: PROSPECTIVE PROPOSERS

SUBJECT: PROCUREMENT PROCESS INTEGRITY GUIDELINES FOR THE NEW
                CITY HALL CONVERGED NETWORK REQUEST FOR PROPOSALS

On August 31, 2004, staff responded to the City Council's request to develop mechanisms for the
Converged Network RFP that reinforce ethical conduct among prospective proposers, by introducing the
concept of "Procurement Process Integrity Guidelines." These Guidelines would address various
elements of interaction between prospective proposers and the City during the procurement process, and
include a vendor code of conduct and declaration form that would be required, early in the procurement
process, from any firm interested in proposing on the Converged Network RFP. On November 9, 2004,
the City Council approved these Guidelines.

These Guidelines are intended to promote and maintain the highest standards of personal and professional
conduct, and ensure that all prospective proposers can compete in a fair and objective selection process.
The following sections provide specific guidelines that will be applied during the New City Hall
Converged Network procurement. These guidelines will be incorporated into the RFP document.

Communication Protocols— This section describes the characteristics of appropriate communication
between potential proposers and the City during various phases of the Converged Network procurement.
These communication protocols are consistent with the City Charter and Municipal Code. Notably,
prospective proposers will have structured opportunities to raise any concerns at each stage of the process
and within specific timeframes. By providing this structure, the communication protocols are intended to
ensure that any issue encountered can be addressed immediately and appropriate to the nature of the
concern, while maintaining the integrity of the overall selection process.

PRIOR TO RFP RELEASE

1. City staff will refer inquiries from prospective proposers and requests to meet and discuss the
    upcoming project to the Project Manager. Information provided by the Project Manager to
    prospective proposers will be limited to facts already made available to the public.
2. The offices of the Mayor and Councilmembers will refer prospective proposers or their
    representatives to the City Manager or his designee. If a prospective proposer or the proposer's
    representative alleges improper conduct by a City employee or consultant, the City Manager's Office
    will investigate the alleged misconduct, in consultation with others as appropriate. All other inquiries
    related to the RFP will be referred to the Project Manager.
3. In order to solicit stakeholder input to the RFP, requests for information or industry forums may be
    used. Such forums will be open to all interested parties.
4. Any questions or concerns from prospective proposers regarding potential conflicts of interest will be
    directed to the Project Manager. The Project Manager will review the issue in consultation with the
    City Attorney's Office and Deputy City Manager.

AFTER THE RFP HAS BEEN RELEASED

1. All contact between prospective proposers and the City must be directed to the Procurement Contact
    designated in the RFP. All requests for clarification or other inquiries must be made in writing.
2. Inquiries or questions will be responded to in writing by the Procurement Contact, through addenda to
    the RFP. This ensures that the same information is provided to all prospective proposers.
3. Any questions or concerns from prospective proposers regarding potential conflicts of interest should
    be directed to the Procurement Contact. The Procurement Contact will review the concern in
    consultation with the City Attorney's Office and Deputy City Manager.

4. A specific deadline will be specified in the RFP, prior to the proposal due date, for prospective proposers to raise any objections to the structure, content, or distribution of the RFP. Such objections must be communicated in writing to the Procurement Contact.
5. The offices of the Mayor and Councilmembers will refer prospective proposers or their representatives to the City Manager or his designee. If a prospective proposer or the proposer's representative alleges improper conduct by a City employee or consultant, the City Manager's Office will investigate the alleged misconduct, in consultation with others as appropriate. All other inquiries related to the RFP will be referred to the Procurement Contact.

DURING THE EVALUATION OF PROPOSALS

1. All contact between proposers and the City must be directed to the Procurement Contact, as designated in the RFP. Any requests or instructions must be made in writing.
2. The offices of the Mayor and Councilmembers will refer prospective proposers or their representatives to the City Manager or his designee. If a prospective proposer or the proposer's representative alleges improper conduct by a City employee or consultant, the City Manager's Office will investigate the alleged misconduct, in consultation with others as appropriate. All other inquiries related to the RFP will be referred to the Procurement Contact.

UPON RELEASE OF A RECOMMENDED SELECTION, PRIOR TO CITY COUNCIL APPROVAL

1. All proposers will be notified of the recommendation, including the basis for selection and instructions for filing an appeal.
2. All contact between proposers and the City must be directed to the Procurement Contact, except that appeals of the staff recommendation may be directed to the Deputy City Manager. Such appeals must be in writing, and will be investigated, responded to in writing and distributed to all proposers, prior to City Council consideration of the recommendation.
3. This does not prohibit a proposer from contacting the offices of the Mayor and Councilmembers to communicate concerns that have been raised with City staff. The Mayor and Councilmembers may hear the concerns, but will refer proposers and their representatives to the City Manager and City Attorney, or their designees, for resolution.
4. The offices of the Mayor and Councilmembers will refer prospective proposers or their representatives to the Deputy City Manager. If a prospective proposer or the proposer's representative alleges improper conduct by a City employee or consultant, the City Manager's Office will investigate the alleged misconduct, in consultation with others as appropriate.

ASSIGNMENT OF INDIVIDUALS

Project Manager: Tom Bohn, Deputy Director, San José Fire Department
                          170 W. San Carlos Street, San José, CA 95110
                          (408) 277-2690

Procurement Contact: To be determined

Deputy City Manager: Kay Winer, Deputy City Manager
                          801 N. First Street, Room 436, San José, CA 95110
                          (408) 277-4674

Proposer's Code of Conduct— The Proposer's Code of Conduct outlines the City's expectations regarding what constitutes ethical behavior and requires prospective proposers to agree to a Code of Conduct in order to participate in the procurement process. It does not attempt to specify all ethical issues

that may arise, rather serves as a framework. In addition, the City's existing ordinances and policies regarding lobbying, gifts, and former City employees have been specifically incorporated into the Code of Conduct.

To establish agreement to adhere to the Code of Conduct at the earliest possible point in the procurement process, any prospective proposer interested in responding to the Converged Network RFP will be required to submit a signed Proposer's Code of Conduct prior to attending a pre-proposal conference. This will serve as a declaration that the prospective proposer understands and agrees to abide by the established standards, and is individually and solely responsible for ensuring compliance with this Code on behalf of the proposer's employees, agents, consultants, lobbyists, or other parties or individuals engaged for purposes of developing or supporting a proposal. Any evidence that indicates that a firm has failed to adhere with any section of the Proposer's Code of Conduct may result in that proposer's disqualification from the Converged Network procurement, as well as possible debarment. The City retains the right to disqualify any proposer at any point in the process for failure to comply with the Proposer's Code of Conduct.

Enforcement of the Proposer's Code of Conduct—Alleged violations of the Code will be handled along following steps:

1. If there is an allegation of misconduct by a proposer, the Procurement Contact will review and make an initial determination if disqualification is warranted. The initial determination will be in writing.
2. The proposer will be given an opportunity to protest the determination.
3. Upon receipt of a protest to disqualification, the Deputy City Manager will conduct a Protest Hearing. The Deputy City Manager will document the determination.
4. The resulting decision may be appealed to the City Council. Appeals will be scheduled on the City Council Agenda through the Rules Committee.

DRAFT PROPOSER'S CODE OF CONDUCT

Company Official		Title	
Company Name			
Procurement Name	Converged Network for the City of San José New City Hall	**RFP/RFQ Number:**	

Part I: Introduction

The City of San José ("City") has established this Code of Conduct, which shall govern the conduct of all prospective proposers participating in the City's Converged Network Request for Proposals process. The purpose of this Code is to protect the integrity of this competitive process. Each prospective Proposer is individually and solely responsible for ensuring compliance with this Code. This responsibility extends to the Proposer's employees, agents, consultants, lobbyists, or other parties or individuals engaged for purposes of developing or supporting the Proposer's proposal.

Part II: Code of Conduct Provisions

1. **Expectations.** This document does not address all ethical issues that may arise in the course of doing business with the City. Each person or entity is expected to act ethically at all times. This Code provides a framework for defining certain standards that the City expects prospective proposers to maintain during the course of a procurement process. This Code incorporates by reference the New City Hall Converged Network RFP Communications Protocols.

2. **Enforcement.** Failure by a Proposer to comply with this Code of Conduct may result in that Proposer's disqualification as well as possible debarment. The City reserves the sole right to disqualify any Proposer at any point in the process for failure to comply with any provision of this Code of Conduct. Please refer to the Section __ in the RFP which sets forth various grounds for disqualification or debarment and the procedures for protesting the City's determination to disqualify a Proposer.

3. **Prohibitions.** No Proposer, subcontractor, or their representative shall deceive or attempt to deceive any City official with regard to any material fact pertinent to the Converged Network procurement.

4. **Lobbying.** San José Municipal Code Chapter 12.12 (the "Lobbyist Ordinance") regulates the conduct of lobbyists. Proposer affirms that Proposer is and will remain, in compliance with the Lobbyist Ordinance.

5. **Prohibition of Gifts.** Proposer is familiar with the City's prohibition against the acceptance of gifts by a City officer or designated employee, found in Chapter 12.08 of the San José Municipal Code. The offer or giving of any prohibited gift shall constitute a material breach of this Code of Conduct by the Proposer.

6. **Disqualification of Former Employees.** Proposer is familiar with the provisions relating to the disqualification of former officers and employees of the City in matters that are connected with the former duties of official responsibilities as set forth in Chapter 12.10 of the San José Municipal Code ("Revolving Door Ordinance"). Proposer shall not utilize either directly or indirectly any officer, employee, or agent of Proposer to perform services, if in the performance of such services, the officer, employee, or agent would be in violation of the Revolving Door Ordinance.

7. **Exclusive Reliance on the RFP.** No Proposer, subcontractor, or their representative shall solicit, obtain, or accept, directly or indirectly, from any City employee or consultant, information related to the Converged Network RFP, except as specified in the RFP.

8. **Participating in Proposals After Developing Specifications Prohibited.** No contractor or consultant who participates in the development of a scope of work or solicitation documents on behalf of the City for an RFP/RFQ may participate as a Proposer or sub-proposer or perform any work on a proposal in response to that RFP/RFQ.

9. **Collusion Prohibited.** No Proposer shall collude with other Proposers or with any other person in order to manipulate the results of this RFP process.

10. **Timely Submittal of Objections.** Proposers acknowledge that timing is of the essence in this procurement. If at any time a Proposer encounters a basis for objecting to any portion of the RFP process, the Proposer shall raise their concerns, in writing, to the Procurement Contact. Specifically, any objections to the RFP must be submitted by the deadline specified in the RFP, prior to the due date for proposals. Any concerns regarding the evaluation process must be submitted during the prescribed administrative appeal period following release of a staff recommended selection.

Part III: Execution of Code of Conduct

Each prospective Proposer is required to sign and submit this document as evidence of the Proposer's agreement to abide by the Proposer's Code of Conduct. Any prospective subcontractors or suppliers attending a pre-proposal conference are also required to complete this document. The signed original must be received by the following by (TBD), 2004 or no later than the conclusion of the first pre-proposal conference:

       Purchasing Agent (TBD)

On behalf of the prospective proposer listed below ("Proposer"), the undersigned makes the following certifications:

Proposer will abide by the Proposer's Code of Conduct and other applicable City, State and Federal laws.

Proposer agrees that failure to comply may result in disqualification.

The undersigned is authorized to bind the Proposer in this matter.

_____   _____
Printed Name   Company Name

___ _____
Title

_____   _____
Signature   Date

For use by Procurement Contact:

Project Manager: _____

Date Received by Project Manager: ____/____/____

Copy to Deputy City Manager: _____   Date: ____/____/____